



**MINUTES**  
**OCONEE COUNTY COUNCIL MEETING**  
**Regular Meeting**  
**August 18, 2015**

**MEMBERS, OCONEE COUNTY COUNCIL**  
Mr. Wayne McCall, District II, Council Chairman  
Mr. Paul Cain, District III, Vice Chairman  
Ms. Edda Cammick, District I, Chairman Pro Tem  
Mr. Joel Thrift, District IV  
Mr. Reg Dexter, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Scott Moulder and County Attorney Thomas Martin present.

**Press:** Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [[www.oconeese.com/council](http://www.oconeese.com/council)]. In addition it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Dick Mangrum/WGOG & Ray Chandler/Anderson Independent & Steven Bradley/The Daily Journal.

**Call to Order**

Mr. McCall called the meeting to order at 6:00 p.m.

**Public Comment Session**

Mr. Mike Hamor expressed concerns regarding what funding would be needed to implement the Destination Oconee plan.

Mr. John Dalen expressed his opposition to the Destination Oconee plan and his support for Ordinance 2015-22.

Mrs. Jillian Lusk expressed her support for the Destination Oconee plan and urged Council to spend more time researching the noise ordinance issue.

Mr. Michael Musser expressed his support for Ordinance 2015-22.

Ms. Kim Ramsey urged Council to spend more time researching the noise ordinance issue.

Ms. Margie Langston expressed her support for Ordinance 2015-22.

Mr. Gary Littlefield urged Council to spend more researching the noise ordinance issue.

Ms. Susie Cornelius asked Council to carefully study the issues surrounding a possible agricultural center before any property is purchased.

Mr. Berry Nichols expressed his opposition to the Destination Oconee plan.

Mr. Charles Richards asked to gauge the support of the agricultural community before any land is purchased for a possible agricultural center.

Mr. Stephen Dow expressed his opposition to the purchasing of land for a possible agricultural center.

## **County Council Response to Public Comment**

Ms. Cammick stated that she had been in contact with a local representative of the Clemson Extension office and that a survey has been sent to the agricultural community to gauge support for a possible agricultural center.

Mr. McCall expressed his thanks to the following emergency services volunteers for their hard work and efforts related to the ladder for the dive boat: Mr. Bill McClaskey, Mr. Steve Zahn, and Ms. Lisa Derrick.

## **Moment of Silence**

Mr. McCall asked for a moment of silence prior the Invocation by the County Chaplain.

## **Invocation by County Council Chaplain:**

Mr. Tom Martin, County Council Chaplain, gave the invocation.

## **Pledge of Allegiance:**

Mr. Cain led the Pledge of Allegiance to the Flag of the United States of America.

## **Approval of Minutes:**

Mr. Thrift made a motion, seconded by Mr. Cain, approved 5 – 0 to approve the July 21, 2015 regular meeting minutes as presented.

## **Presentations to Council**

### **ACOG Comprehensive Economic Development Strategy “CEDS” Report**

Mr. David Shellhorse, ACOG Economic Development Services Manager, addressed Council utilizing a handout [copy filed with these minutes] highlighting the economic strengths of the Oconee County and Upstate.

## **Administrator’s Report & Agenda Summary**

Mr. Moulder briefly reviewed with Council and for the public’s benefit specifics related to the following matters before Council at this meeting:

- Public Hearings: 2015-20, 2015-22
- Third & Final Readings: 2015-18, 2015-20, 2015-22
- Second Reading for Ordinances: 2015-23
- First Reading for Ordinances: 2015-24, 2015-25 [title only], 2015-27
- First & Final Reading for Resolutions: R2015-13, R2015-14
- Discussion Items
- Council Committee Report
- Old Business
- New Business
- Executive Session

Mr. Moulder also recommended that Council should direct staff to move forward with an absolute, or live, auction concerning the Economic Development Commission property located in Walhalla.

In addition, Mr. Moulder commented that a lease agreement had been reached with the Mountain Rest volunteer fire department concerning a new substation.

## Public Hearings regarding the Following Ordinances

**Ordinance 2015-20** “AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY AND ESTABLISHED PURSUANT TO SEC. 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXATION; AND OTHER MATTERS RELATED THERETO”

*[re: Project Crystal]*

Mr. McCall opened the floor for Public Comment.

Mr. McCall asked if any citizens wished to address Council.

No citizens addressed Council.

Mr. McCall asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. McCall closed the Public Hearing regarding **Ordinance 2015-20**.

**Ordinance 2015-22** “AN ORDINANCE CANCELLING, REVOKING, AND RESCINDING OCONEE COUNTY ORDINANCE 2014-24 AND ITS SUBSEQUENT CODIFICATION; AND OTHER MATTERS RELATED THERETO”

Mr. McCall opened the floor for Public Comment.

Mr. McCall asked if any citizens wished to address Council.

Mr. Charles Richards expressed his support for Ordinance 2015-22.

Mr. Frankie Pearson expressed his support for Ordinance 2015-22.

Mr. David McMahan expressed his support for Ordinance 2015-22.

No other citizens addressed Council.

Mr. McCall asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. McCall closed the Public Hearing regarding **Ordinance 2015-22**.

## Third & Final Reading of the Following Ordinances

**Ordinance 2015-18** “AN ORDINANCE AMENDING CHAPTER 12, ARTICLE 2, SECTION 12-34 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY; REGARDING **NOISE REGULATIONS** OF THE COUNTY, AND OTHER MATTERS RELATED THERETO”

Mr. Cain made a motion, seconded by Mr. Thrift, to approve **Ordinance 2015-18** on third and final reading.

Discussion followed.

The motion failed 0 – 5, with all members of Council dissenting.

There was consensus among Council to try and schedule a workshop with public input for September 8 regarding the noise ordinance.

**Ordinance 2015-20** “AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY AND ESTABLISHED PURSUANT TO SEC. 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT

WITH PICKENS COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXATION; AND OTHER MATTERS RELATED THERETO”

*[re: Project Crystal]*

Mr. Cain made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Ordinance 2015-20** on third and final reading.

**Ordinance 2015-22** “AN ORDINANCE CANCELLING, REVOKING, AND RESCINDING OCONEE COUNTY ORDINANCE 2014-24 AND ITS SUBSEQUENT CODIFICATION; AND OTHER MATTERS RELATED THERETO”

Mr. Cain made a motion, seconded by Ms. Cammick, approved 3 – 2 [Mr. Dexter & Mr. Thrift opposed] to approve **Ordinance 2015-22** on third and final reading.

### **Second Reading of the Following Ordinances**

**Ordinance 2015-23** “AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV, DIVISION 8 OF THE CODE OF ORDINANCES OF OCONEE COUNTY PERTAINING TO THE **CAPITAL PROJECTS ADVISORY COMMITTEE**; AND OTHER MATTERS RELATED THERETO”

Mr. Cain made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Ordinance 2015-23** on second reading.

### **First Reading of the Following Ordinances**

**Ordinance 2015-24 [title only]** “AN ORDINANCE TO AMEND SECTION 2-191. “APPOINTMENT; DUTIES” OF DIVISION 4. “**COUNTY ATTORNEY**” OF ARTICLE III. “OFFICERS AND EMPLOYEES” OF CHAPTER 2. “ADMINISTRATION” OF THE OCONEE COUNTY CODE OF ORDINANCES; AND OTHER MATTERS RELATED THERETO”

Mr. Cain made a motion, seconded by Ms. Cammick, to approve **Ordinance 2015-24** on first reading in title only.

Discussion followed. There was consensus among Council for the draft ordinance to be prepared in a manner to reflect that the county attorney would report to the county administrator.

The motion passed 3 – 2 [Mr. Thrift and Mr. Dexter opposed].

**Ordinance 2015-25 [title only]** “AN ORDINANCE AMENDING CHAPTERS 32 AND 38 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS PERTAINING TO **OCONEE COUNTY HEIGHT STANDARDS, ONLY**; AND OTHER MATTERS RELATED THERETO”

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Ordinances 2015-25** on first reading in title only.

**Ordinance 2015-27** “AUTHORIZING THE EXECUTION AND DELIVERY OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT IN THE AMOUNT OF NOT EXCEEDING \$4,200,000 TO DEFRAY THE COSTS OF ACQUIRING VARIOUS EQUIPMENT; AND OTHER MATTERS RELATING THERETO”

Mr. Cain made a motion, seconded by Ms. Cammick, approved 5 – 0 to approve **Ordinances 2015-27** on first reading.

## **First Reading of the Following Resolutions**

**Resolution R2015-13** “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A REVISED OPERATING AGREEMENT BETWEEN AND AMONG THE OCONEE COUNTY HUMANE SOCIETY, INC., THE OCONEE COUNTY SHERIFF, AND OCONEE COUNTY, PERTAINING TO OPERATIONS AT THE OCONEE COUNTY ANIMAL SHELTER; AND OTHER MATTERS RELATED THERETO”

Mr. Dexter made a motion, seconded by Mr. Cain, approved 5 – 0, to table the matter until the September 1<sup>st</sup> meeting of Council.

**Resolution R2015-14** “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A REVISED OPERATING AGREEMENT BETWEEN AND AMONG THE OCONEE COUNTY HUMANE SOCIETY, INC., THE OCONEE COUNTY SHERIFF, AND OCONEE COUNTY, PERTAINING TO OPERATIONS AT THE OCONEE COUNTY ANIMAL SHELTER; AND OTHER MATTERS RELATED THERETO”

Ms. Cammick made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Resolution R2015-14** on first and final reading.

## **Discussion Regarding Action Items**

### **RFP 12-15 / Construction Project Continuation / Not to Exceed \$200,000 / Broadband Project FOCUS**

Mr. Dexter made a motion, seconded by Mr. Cain, approved 5 – 0 to approve the continuation of the award for construction work relating to Broadband projects to GeoVision of Sylva, NC for a not-to-exceed amount of \$200,000 for FY 2015-2016.

### **Landfill Compactor / Solid Waste / \$585,702.68**

Mr. Cain made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve  
[1] the purchase of a BOMAG Landfill Compactor from Road Machinery Services, Inc., of Statesville, NC, in the amount of \$\$585,702.68, per the NJPA Contract,  
[2] approve the issuance of a Letter of Intent to order the new compactor, and  
[3] approve the separate trade-in of the existing 826G landfill compactor to Road Machinery Services.

### **RFP 14-15 / Tanker Fire Truck / Cross Roads Fire Department / \$226,500**

Mr. Dexter made a motion, seconded by Mr. Cain, approved 5 – 0 to approve the award of RFP 14-15 for a Tanker Fire Truck for Cross Roads Rural Fire Station 13 to Fouts Brothers Fire Equipment of Smyrna, GA in the amount of \$226,500.

## **Council Committee Reports**

### **Budget, Finance & Administration Committee / Ms. Cammick**

The committee report was moved to the September 1<sup>st</sup> meeting of Council as Ms. Cammick left to meeting due to personal matter.

## **Old Business:**

### **Economic Development Property/Walhalla**

Mr. Thrift made a motion, seconded by Mr. Cain, approved 4 – 0, to direct the Administrator to move forward with holding an absolute or live auction, in regards to the Economic Development Commission property in Walhalla.

## **New Business:**

None discussed at this meeting.

## **Executive Session:**

Mr. Cain made a motion, seconded by Mr. Dexter, approved 4 – 0 to enter Executive Session as allowed for in §30-4-70 (a) of the Code of Laws of South Carolina, as amended, 1976 for the purpose of:

- [1] discussion regarding potential land acquisition for the Rock Quarry.
- [2] discussion regarding pending litigation related to Oconee County v Hanger III, et. al., and
- [3] discussion of a pending litigation matter related to the MP2Net v. Oconee County.

Council entered Executive Session at 8:10 p.m.

Council returned from Executive Session at 8:44 p.m. on a motion by Mr. Dexter, seconded by Mr. Cain, approved 4 – 0.

Mr. McCall stated that no action was taken in Executive Session.

Mr. Cain made a motion, seconded by Mr. Thrift, approved 4 – 0 to direct the Administrator to negotiate purchase contract for property near the Oconee County Rock Quarry as discussed in Executive Session.

## **Adjourn**

Mr. Cain made a motion, approved unanimously 4 – 0, to adjourn at 8:45 p.m.

Respectfully Submitted:

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Josh Stephens, Asst. Director  
Community Development